

<b>RESPONSE TO ELECTION REQUIREMENT</b>  Address to: Commissioner for Patents P.O. Box 1450 Washington, D.C. 20231-1450	Attorney Docket	TAME-001
	First Named Inventor	MERET, KEVIN
	Application Number	10/627,351
	Filing Date	JULY 26, 2003
	Group Art Unit	3663
	Examiner Name	RODRIQUEZ, PAM
	Title:	SUSPENSION RESTRAINT DEVICES

Sir:

This paper is in response to the Election Requirement dated August 18, 2004. A response was due September 18, 2004. However, in view of the Request for Extension of time provided herewith, this paper is timely filed.

In the above-referenced paper, the Examiner required election of one of the following species for prosecution on the merits:

Species A of Figs. 1A, 3A, 3B, 4A, 4B, 6, 7A and 7B;

Species B of Figs. 1B, 3A, 3B, 4A, 4B and 6; and

Species C of Figs. 2, 3A, 3B, 5A, 5B and 6.

Applicant hereby elects "Species A" identified by the Examiner. Accordingly, Applicant submits that claims 1-5, 7, 8, 11-14 and 16-19 should be examined. The structure and method steps (acts) recited in each of these claims are generic to the features or use of Species A. Claims 5 and 8 are specifically directed to Species A. All of claims 1-5, 7, 8, 11-14 and 16-19 are readable thereon.

In light of Applicant's election, claims 6, 9, 10, 15 and 20 are withdrawn without prejudice to their later pursuit. Their rejoinder and examination as provided by 37 CFR §1.141 is hereby requested in the event of any claim generic or linking claim thereto is allowed. In this regard, Applicant asserts that claims 1-4, 7, 11-13 and 16-19 are generic to all of the species. Yet, it is noted that the Examiner asserted that no claims are generic to the Species. If upon further review the Examiner maintains this belief, Applicant requests that the Examiner contact

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the undersigned to discuss the matter so agreement might be reached prior to any action on the merits. Specifically, it is noted that all of the apparatus claims depend from claim 1. As such, it is generic or a linking claim thereto. As for the method claims, claim 13 incorporates the limitations of claim 1 and offers no additional requirement inconsistent with activity as may be accomplished with any of the species. In addition, claim 16-19 require no activity that cannot be carried out with any of the devices disclosed. As such, examination of every one of claims 1-5, 7, 8, 11-14 and 16-19 is believed appropriate.

Such action is respectfully requested.

Respectfully submitted,  
Frank P. Becking

Date: October 18, 2004

By: 

Registration No. 452,309

The Patent Law Office of Frank P. Becking  
Palo Alto, CA 94302  
Telephone: (650) 906-1137  
Facsimile: (650) 615-9295